

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

WILLIE SIMS,

Defendant.

Supplemental Protective Order

19 Cr. 857 (NSR) -01

Upon the application of the United States of America, with the consent of the undersigned defendant and his counsel, the Court hereby finds and orders as follows:

1. Disclosure Material. The Government will disclose to the defense the make and model of the recording device used to make the recordings previously turned over and labeled USAO_GD_0003186, USAO_GD_0003187, and USAO_GD_0003189 (“Recording Device”).

2. Facilitation of Discovery. The entry of a protective order in this case will permit the Government to produce expeditiously the Disclosure Material without further litigation. It will also afford the defense prompt access to the material, which will facilitate the preparation of the defense.

3. Good Cause. There is good cause for entry of the protective order set forth herein.

Accordingly it is hereby Ordered:

4. The Disclosure Material shall ONLY be disclosed to the attorney of record for Willie Sims, Joseph Facciponti, Esq., and any expert retained by Mr. Facciponti to assist him (“the defense”). The defense shall not disseminate the Disclosure Material—or information learned about how the Recording Device is designed to be worn—to any other individual, including the Defendant, without prior permission of the Government.

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5. If the defense intends to use the Disclosure Material in any written filing with the Court, the defense shall submit the entire filing under seal.

6. If the Government refuses to provide permission to share Disclosure Material with the Defendant or any other person the defense may apply to the Court for an order permitting such sharing or use and may submit the Disclosure Material to the Court for *in camera* examination.

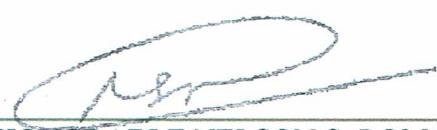
7. The defense shall destroy or delete the Disclosure Material at the same time that other discovery in this case shall be destroyed pursuant to the general Protective Order entered in this case.

Retention of Jurisdiction

8. The provisions of this Order shall not terminate at the conclusion of this criminal prosecution and the Court will retain jurisdiction to enforce this Order following termination of the case.

SO ORDERED:

Dated: White Plains, New York
July 15 2020



THE HONORABLE NELSON S. ROMÁN
UNITED STATES DISTRICT JUDGE

AGREED AND CONSENTED TO:

AUDREY STRAUSS
Acting United States Attorney



Jim Ligtenberg/Shiva H. Logarajah
Assistant United States Attorneys

Date: July 9, 2020

J.P. Facciponti
Joseph Facciponti, Esq.
Counsel for Willie Sims

Date: July 9, 2020